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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

DENISE SUBRAMANIAM, *pro se*,

Case No. 3:12-CV-1681 ST

Plaintiff,

v.

**DEFENDANT MGC MORTGAGE,  
INC.'S MOTION TO DISMISS  
AMENDED COMPLAINT; MOTION TO  
STRIKE; OR, IN THE ALTERNATIVE,  
MOTION FOR MORE DEFINITE  
STATEMENT**

D. ANDREW BEAL; MGC MORTGAGE et al;  
LNV CORPORATION et al;  
DOVENMUEHLE MORTGAGE, INC. et al;  
FIDELITY NATIONAL TITLE COMPANY et al;  
HOMECOMINGS FINANCIAL NETWORK and RESIDENTIAL FUNDING LLC aka GMAC aka ALLY FINANCIAL et al;  
CAL-WESTERN RECONVEYANCE CORPORATION et al;  
EMC MORTGAGE and BEAR STEARNS aka J.P. MORGAN CHASE et al;  
JAMES DIMON; LITTON LOAN SERVICING LP aka OCWEN FINANCIAL CORPORATION et al;  
LSI TITLE COMPANY OF OREGON et al;  
JAMES DANFORTH QUAYLE; JOHN W. SNOW; SANFORD I. WEILL; PHIL GRAMM; Unnamed/yet unknown parties,

Pursuant to Fed. R. Civ. P. 8, 9, 12(b)(6), 12(e), and 12(f)

Defendants.

DEFENDANT MGC MORTGAGE, INC.'S MOTION TO DISMISS  
AMENDED COMPLAINT; MOTION TO STRIKE; OR, IN THE  
ALTERNATIVE, MOTION FOR MORE DEFINITE STATEMENT

LR 7-1 CERTIFICATE OF COMPLIANCE

Pursuant to LR 7-1(a), Defendant and moving party MGC Mortgage, Inc. ("MGC") made a good faith effort to resolve this motion via email and U.S. mail conferral on April 5, 2013. MGC received a response from Plaintiff on April 8, 2013. Based upon Plaintiff's response, it appears that the issues are not capable of resolution informally, and that further meet and confer efforts would not be fruitful.

MOTION

Pursuant to Federal Rule of Civil Procedure 12(b)(6), MGC respectfully moves this Court to dismiss Plaintiff's Amended Complaint without further leave to amend. All of Plaintiff's claims fail to state a claim upon which relief can be granted, and further amendment would be futile. At a minimum, MGC respectfully moves this Court to dismiss MGC from the Counts in which it is named (Counts I, II, VI and VII).

In addition, or in the alternative, MGC respectfully moves this Court pursuant to Federal Rule of Civil Procedure 12(f) to strike all insufficient allegations, and immaterial, impertinent and scandalous matters in the Amended Complaint as identified in the accompanying memorandum of law.

In the alternative, pursuant to Federal Rule of Civil Procedure 8, 9, and 12(e), MGC respectfully moves this Court for a more definite statement in that the Amended Complaint lumps all Defendants together without identifying any alleged conduct or actions to which MGC can reasonably respond.

This motion, brought in good faith and not for purposes of delay, will be based upon this motion, the memorandum of law and request for judicial notice filed herewith, and upon such oral and documentary evidence as may be presented at any hearing on the motion.

DATED this 8<sup>th</sup> day of April, 2013.

WATT TIEDER HOFFAR & FITZGERALD,  
LLP

By: /s/ Christopher Wright  
Christopher Wright, OSB #045483  
Attorneys for Defendant MGC Mortgage, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that my firm served the foregoing **DEFENDANT MGC MORTGAGE, INC.'S MOTION TO DISMISS AMENDED COMPLAINT; MOTION TO STRIKE; or, in the alternative, MOTION FOR MORE DEFINITE STATEMENT** upon the following parties on this 8<sup>th</sup> day of April, 2013.

**VIA US MAIL**

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DATED this 8<sup>th</sup> day of April, 2013.

WATT TIEDER HOFFAR & FITZGERALD, LLP

By: /s/ Christopher Wright

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Christopher Wright, OSB #045483  
Attorneys for Defendant MGC Mortgage, Inc.

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DEFENDANT MGC MORTGAGE, INC.'S MOTION TO DISMISS  
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